

FROM THE DESK OF
EDWIN M. WEST

2013 MAR 27 PM 2:32

RECEIVED
CITY CLERKS OFFICE

Routed To:

☒ Council

☒ City Attorney

☒ City Clerk

☒ Council Support Specialist

☒ City Manager

☐ Other _____

March 25, 2013
Phyllis Marcuccio
Mayor
City of Rockville
111 Maryland Ave
Rockville, MD 20850

Dear Mayor and Council,

It behoves me to write this letter after witnessing yet another epic failure of the City of Rockville at Thursday night's Historic District Commission meeting. I struggle to know where to begin. I suppose one place would be December 2010, when the Planning Commission was given the charge of hearing the application to re-subdivide the property at 21 Wall Street. In a true act of cowardliness, by virtue of the abstentions cast at that vote, the property at 21 Wall Street was split and made into two lots, one containing a house that is too big for it, and the other an empty lot which is sub-standard at best. It should be noted that these lots were created without the intention that they would both ever all be built on. It was common practice for the builders and investors of the time to purchase multiple lots for the use of one home. Of the five lots purchased by Edwin West on Wall Street, only three were built on.

My great uncle, and the man for whom I was named, was a great subscriber to this practice, a point I will get to later. Just because something was considered a separate lot in the 1880s does not mean that it ever should have been considered a suitable lot for building a full size house today, perhaps a small out-building in the back, but nothing such as a house. What else from the 1880s should be resurrected simply because it had been in existence at that time? Women's inability to vote? Outdoor toilets? Laws of discrimination? The argument that because a plat was created in the 1880s, therefore we must allow it to be built on is antiquated.

Moving on, the current owners of "23" Wall Street were sold a bad set of goods. To begin, the realtor for the property was misleading. On the virtual tour for the listing of 21 Wall Street, a picture of the lot next door was included. This was false advertising. Why not just include a picture of 22 Wall Street? Further, and more egregiously, the text of the listing for "23" Wall Street said something like, "build your dream home in the West End." Rubbish. What if a person's dream home were a large yurt, or a glass box of a house? Further, the listing failed to mention, "to build your dream home, you'll have to have a co-owned tree removed."

The owners of 25 Wall Street are being asked to sacrifice property, in the form of trees that they have presumably been investing in the health of, since they are co-owned, for the past however many years they have owned the house. Is the City of Rockville seriously suggesting that a resident should be denied property simply because another resident wants to build? Should a resident be asked to move a pre-existing garage that might be grandfathered on a property so that a new resident can build a house? You can't deny someone their property without due process or just cause. Perhaps if the owners of 11 Wall Street had a pool, and the owners of 15 Wall Street wanted to plant a tree that's roots would eventually jeopardize the pool's foundation, the City would suggest that the pool be removed to make way for the new tree.

This brings me to another point. At Thursday's meeting, the nice couple who is hoping to build their house, was led to believe that the Chief of Planning or the City Manager, could grant a certificate of approval for the removal of a tree based on a condition of hazard. Fine. Does an condition of hazard exist? No. The CoA would be issued on the potential for hazard, or on a presumption of hazard. Is this the power of the City? Is City Hall staffed with fortune tellers? The Certificate of Approval for "23" Wall Street was granted

FROM THE DESK OF
EDWIN W. WEST

by the HDC in the fall. When that was granted, it should lock in place the conditions on which the approval was made. To think that the City Forrester can retroactively designate a tree from "off-site" to "co-owned," without going back through the HDC is ridiculous. What the staff said on Thursday was that if someone were to drive up to the property, they would see that the tree #3 was a hazard and needed to be taken down. Really? A healthy tree? Not the dead tree in the back of the property? Not the almost dead tree in the front overhanging the power lines? This on the same day that the HDC was asked to evaluate the burned out house on Watts Branch Parkway, which was what, not clearly a hazard?

Is the City of Rockville asking for a law-suit? Is the City's Attorney looking for more work and the Planning Staff is trying to drum some up? The fact that the City hasn't been taken to court by either owners is nothing short of a miracle. And the city is directly responsible for pitting neighbor against neighbor. "Oh sure, you can build a house, but you need to take something from your neighbor."

Edwin West was different from his contemporary, T. C. Groomes, the builder at 25 Wall Street. My great uncle liked off-set properties, while Mr. Groomes liked symmetry. Something that was never discussed by the HDC, or the City staff, was what would be lost if the lot was built on. The relationship of 21 Wall Street and 25 Wall Street and the large mature trees in between is a feature very familiar to the neighborhood, just as the relationship between 100 and 108 Forrest Street was a familiar feature before the driveway was put in. Edwin West liked to off-set his homes on the property. Take for example, 21 Wall Street, 15 Wall Street, 108 Forrest Street, 301 Falls Road, 318 West Montgomery, 214 West Montgomery, 201 West Montgomery, 105 South Van Buren, 114 West Montgomery, and the church at 101 West Jefferson, pre addition, to name a few. This was done with purpose and design. He liked the aesthetic of a house that looked organic to the property, not plopped in the middle. And now the HDC can count among its errors, the loss of an example of that relationship. Edwin loved his "Wall Street Triplets." He and my great aunt built them together. If they felt that the lots flanking the homes were suitable lots to build, they would have built there. They didn't because they liked the fact that they had some space. Further the HDC has destroyed an architectural relationship that exists throughout the City of Rockville. West Houses next to Groomes houses, 21 and 25 Wall St, 100 and 108 Forrest St, 310 and 314 West Montgomery. So much for preserving Rockville's history.

I am glad that I no longer live in Rockville, the City has changed. Further I am glad that the City broadcasts its meetings on the Internet, it makes for fun viewing. I can tune-in from time to time and ask the question, "Who will the City screw over tonight?" I am an old man. I have earned the right to tell the lot of you what a series of mistakes and failures you have made. Long gone are the days of sitting in the council chambers and being interested in City politics. I only pray the family I do still have in Rockville never has to ask the city for help. My old friend, and owner of 21 Wall Street, Mrs. Lal is probably laughing in her grave. She never trusted the city, refused to have her house designated, and knew that someday that lot was going to rear its ugly head. I remember sitting in her front room, on her sofa, listening to the piano and her telling me about all the reasons that she wanted to leave Rockville, I don't blame her.

Sincerely yours,



Ed West

cc: PlanningStaff/HDC

Peerless Rockville

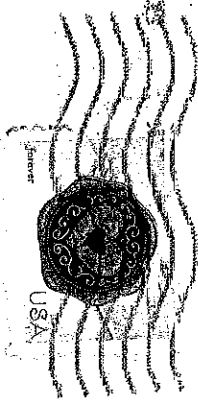
Owner of 23 Wall St

Owner of 25 Wall St

Owner 21 Wall St

CAPITAL DISTRICT 200/211

26 MAR 2013 PM 21



Rockville Mayor & Council
111 Maryland Ave
Rockville, MD 20850

20850236553

111 Maryland Ave
Rockville, MD 20850